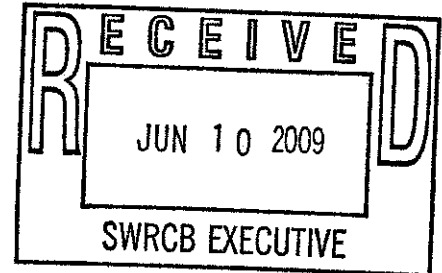


# Association of Conservation Contractors & Workers

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June 10, 2009

Ms. Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814



Re: Comment Letter: Staff Recommendations for ARRA Funds

Dear Ms. Townsend:

The recommendation by the staff that the entirety of the additional \$ 42 million in ARRA funds--designated at the March 17<sup>th</sup> 2009 Board meeting as available for grants--be directed exclusively toward urban storm water projects largely in disadvantaged communities comes at a moment of great economic challenge. It can be too easily read as substantiation that the government, no doubt unwittingly, engages in decision making processes that largely lack transparency and seem on the surface at least to be arbitrary if not outright capricious.

First of all, during the months after the March 27<sup>th</sup> meeting, Board staff encouraged contractors of a wide variety to complete an application process (FAAST) that exacted a serious toll on budgetary resources already pushed into crises by a financing freeze that agency and department staffs seemed unable to explicate or report on comprehensibly. Contractors had just spent 5 months in financial limbo and only a few in State government had during that time offered them information at all useful to weathering the freeze.

Second, the rationales staff gave for making the recommendation were sometimes inaccurate. Two quotes from the staff report are instructive. In one, staff announced that *Urban storm water projects have not received as much grant funding through the State Water Board Non Point Source (NPS) solicitations as other categories of NPS*. A graph immediately following the second claim clearly states that since 2000, Urban Storm water Projects have received \$42 million for projects while Forestry had received only \$30 million. Such immediate contradiction makes one wonder how close staff was reviewing its drafts.

In another *Staff considered the amount of grant funding the State Water Board has provided to the various project types since 2000, and other potential criteria including unemployment rates and whether the project serves a DA*. The strength of this rationale--that the urban storm water projects would more effectively help disadvantaged communities--dissipates when the unemployment rate and percentage of median income levels, published earlier by the staff, are studied. North Coast and central valley agricultural communities for the most part showed higher unemployment rates and lower median incomes than those which would benefit from the current staff recommendation.

In North Coast and Sierra Nevada communities, the devastation of the timber economy which led much of the global downturn has decimated the work force. Forest land restoration has become

far and away the biggest source of jobs in these rural communities, especially since restoration projects almost exclusively draw their work force from among communities local to the jobs. It is one of the central working principles of the restoration movement. No such working principle

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applies to clean water or storm runoff work in large urban areas where contractors and their employees are most often located outside effected communities. Certainly, the forest projects best fulfill the model for economic stimulus in the ARRA program.

What we are asking for then is simple application of principles of fairness and competition. That would indicate a deliberative process based on readiness and merit of NPS capital projects. Anything less than this would seem to defy the basic objectives of the ARRA program and would arbitrarily deny access to benefits to the most economically disadvantaged communities. It would also resolve contradictions inherent in the SWQCB Board deliberations indicated by the quotes above. Certainly, it must be remembered, these forest-related projects are enormously valuable ecologically and economically. Along with agriculture, they promise through recovery of ecological processes, the renewal of our productive lands and waterways—our fisheries, forest and soil resources that will be the source of much of tomorrow's wealth

One last concern: since the Staff announcement came to most of us late last week and was indeed a major departure from expectancies established by the FAAST process, a number of impacted parties will not have had time to comment. We counsel that the comment period be extended until midday Friday. We would be grateful for such a consideration and would appreciate notification if you decide to support that change in process.

Thank you,

David Simpson  
For the ACCW